

REMARKS

Status of Claims

Claims 1-12, and 14-16 were pending in this application. By this Amendment, claims 1, 5-6, 9, 15 and 16-20 have been amended and claims 2-4 have been cancelled. Reconsideration is respectfully requested in view of the above amendments and the following remarks.

Substance of the Interview

Applicants thank Examiners Bayerl and Bonshock for conducting the interview on February 15, 2006 and for considering the arguments regarding the deficiencies of the prior art, including Baecker, Scott and Poole. During the interview an agreement was reached with regard to the 35 U.S.C. § 112 rejection, the agreement being that the rejection would be withdrawn, if the claim are amended to expressly recite “entire.” Furthermore, we discussed the strength of the 35 U.S.C. § 103(a) rejection, focusing on claims 3 and 4. Among other things, we argued that the prior art fails to disclose a folder having an outer appearance on which graphical previews are located and displayed, the graphical previews being selected based on a sort criteria, such as most recently modified.

Rejection under 35 U.S.C. §112

The Office Action rejects claims 9 and 15 under 35 U.S.C. § 112, second paragraph as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. During the interview the Examiners agreed that amending claims 9 and 15 to expressly include “entire” would overcome the rejection. Claims 9 and 15 have been amended to include “entire.” Accordingly the 35 U.S.C. § 112 rejection should be withdrawn.

Objection to Informalities

Claims 9 and 18 were objected to because of scrivener's errors. Applicants thank the Examiners for pointing out these errors. Thus, claims 9 and 18 were amended to remove these errors. Accordingly, the objection to claims 9 and 18 should be withdrawn.

Rejection Under 35 U.S.C. §103(a)

Claims 1, 2, 7, 8, 16, 17 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,586,237 issued to Baecker et al., U.S. Patent 6,545,687 issued to Scott et al., and US Patent 5,680,558 issued to Hatanaka et al. This rejection is respectfully traversed.

With respect to independent claims 1 and 16, Baecker, Hatanaka and Scott fail to disclose or suggest, among other things, “ . . . sorting the content items that can be graphically represented and displaying graphical previews of the sorted content items that can be graphically represented . . .”

Baecker discloses a system that displays and manipulates depictions of icons representing the variable content of documents applications, or folders of files. U.S. Patent No. 5,586,237 (issued Dec. 17, 1996) col. 1, ll. 15-20. Baecker further discloses the depictions are displayed in either a static or animated form. *Id.* at col. 3, ll. 15-25. The objects represented by the icon depictions include documents, files, programs, and folders. *Id.* at col. 3, ll. 1-5. Baecker discloses a method to generate frames depicting folder contents or segments of a text document and segments of a graphical document. *Id.* at col. 6, ll. 40-65, col. 7, ll. 40-65 and col. 8, ll. 15-35.

Hatanaka discloses a system for managing files, where the image of an icon includes information extracted from the content of the file designated by the icon. U.S. Patent No. 5,680,558 (issued Oct. 21, 1997) col. 1, ll. 40-45. Hatanaka discloses that a header associated with the multimedia data is read to determine the format of the multimedia data. *Id.* at col. 5, ll. 30-40. Hatanaka further discloses that an operator is utilized to select a page for the text content, and the page is utilized to generate the icon. *Id.* at col. 5, ll. 40-45.

Scott discloses a system for organizing and displaying thumbnails in a hierarchical structure, where thumbnails are grouped into displayable containment and subcontainment areas. U.S. Patent No. 6,545,687 (issued Apr. 8, 2003) col. 2, ll. 60-col. 3, ll. 5. Scott further discloses the containment areas may correspond to a directory structure containing folders having images. *Id.* at col. 13, ll. 35-50. Scott further discloses that varying the aspect ratios associated with the thumbnails allows the entire image space of the containment areas to be displayed. *Id.* at col. 5, ll. 50-55.

Unlike Baecker, Scott and Hatanaka, singularly and in combination, embodiments of the invention sort content items that can be graphical represented and displays graphical previews for the sorted content items. The graphical previews are displayed on the outer appearance of the container and are thumbnails. The graphical previews are thumbnails extracted from an item and represent an image associated with the item.

In order to make out a *prima facie* case of obviousness, the references must provide all of the elements of the invention as claimed and a suggestion to combine the disclosures of the various cited art references to make the claimed invention. See, *In re Geiger*, 815 F.2d 686,688 2 USPQ2d 1276, 1278 (Fed. Cir. 1987); *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732

F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984); *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Here, Baecker, Hatanaka and Scott, singularly and in combination, fail to disclose among other things, sorting content items that can be graphically represented and displaying the sorted content items that can be graphically represented. Accordingly, the rejection of claims 1 and 16, should be withdrawn for at least the reasons set forth above.

Dependent claims 7, 8, 17 and 20 depend on claims 1 and 16 and further define novel features of the claimed invention. Accordingly, for at least the reasons set for the above, claims 7, 8, 17 and 20 are allowable by virtue of their dependence on claims 1 and 16.

Claims 9-12, 14-15, and 18-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 9,586,237 issued to Baecker et al. and U.S. Patent 6,545,687 issued to Scott et al. This rejection is respectfully traversed.

With respect to independent claims 9 and 15, Baecker and Scott fail to disclose or suggest, among other things, “ . . . sorting the content items that can be graphically represented and displaying graphical previews of the sorted content items that can be graphically represented . . . ”

As discussed above, Baecker discloses a system that displays and manipulates depictions of icons representing the variable content of documents applications, or folders of files, and Scott discloses displaying thumbnails for an entire image space of having containment areas corresponding to a directory tree having one or more folders.

Unlike Baecker and Scott, singularly and in combination, embodiments of the invention sort content items that can be graphical represented and displays graphical previews for the

sorted content items. The graphical previews are displayed on the outer appearance of the container and are thumbnails. The graphical previews are thumbnails extracted from an item and represent an image associated with the item. Furthermore, in certain embodiments, the sort criteria prevents the rendering of the entire collection of content items.

In order to make out a *prima facie* case of obviousness, the references must provide all of the elements of the invention as claimed and a suggestion to combine the disclosures of the various cited art references to make the claimed invention. See, *In re Geiger*, 815 F.2d 686,688 2 USPQ2d 1276, 1278 (Fed. Cir. 1987); *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984); *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Here, Baecker and Scott, singularly and in combination, fail to disclose among other things, sorting content items that can be graphically represented and displaying the sorted content items that can be graphically represented. Accordingly, the rejection of claims 9 and 15, should be withdrawn for at least the reasons set forth above.

Dependent claims 10-12, 15, and 18-19 depend on claims 9 and 15 and further define novel features of the claimed invention. Accordingly, for at least the reasons set for the above, claims 10-12, 15, and 18-19 are allowable by virtue of their dependence on claims 9 and 15.

Claims 3-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 9,586,237 issued to Baecker et al., U.S. Patent 6,545,687 issued to Scott et al., US Patent 5,680,558 issued to Hatanaka et al, and Poole, *Macword Mac OS 8.5 Bible*. This rejection is respectfully traversed.

Claims 5-6 depend from claim 1 and further define novel features of the claimed invention. Accordingly, for at least the reasons set for the above with respect to claim 1, claims 5-6 are allowable by virtue of their dependence on claim 1.

Conclusion

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated, since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a Petition for an Extension of Time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 19-2112 referencing Attorney Docket No. MFCP.88143.

Respectfully submitted,

Dated: _____

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